

Application of: Goldberg, H. et al.
Serial No.: 10/777,194
Filed: February 13, 2004
Reply to Office Action of March 21, 2008

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in view of the present amendment and in light of the following discussions, is respectfully requested.

Claims 1-20 are currently pending in the application. No claims have been amended, canceled or added herewith. In the outstanding Office Action, claims 1-20 were rejected under 35 U.S.C. § 102(b) as anticipated U.S. Patent Publication No. 2005/0038832 (hereinafter “the ‘832 publication”). That ground for rejection is respectfully traversed.

Claim 1 recites:

A computer-implemented method for monitoring a telephony system,
comprising:

detecting an error condition in a network component, said error condition
including an error identifier and an identifier for the network component;

obtaining electronic information corresponding to problem resolution
techniques for the error identifier and equipment of a type of the network
component;

displaying the electronic information to an administrator in order to
facilitate resolution of the error condition; and

executing a computer component to perform the problem resolution
techniques by utilizing the identifier for the network component.

The Office Action alleges that “detecting an error condition in a network component, said error condition including an error identifier and an identifier for the network component” is taught by paragraph [0051] of the ‘832 publication, but the Office Action does not identify what it believes is the “error identifier” and what is “an identifier for the network component.” Moreover, the Office Action alleges that the “network component” is an “application,” thus the Office Action should identify what it is asserting is the “identifier for the application.”

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It should be noted that paragraph [0051] describes “In step 506, the error recovery module 308 generates a unique identifier based on the error information. This unique identifier is used by the server 208 to identify a solution corresponding to the error in the solution database 210.” Should the Office Action be attempting to assert that this “unique identifier” corresponds to the “identifier for the network component,” it is respectfully noted that, at best, the “unique identifier” acts as an identifier for the kind of error, not an identifier for the network component that experienced the error.

Claim 1 further recites “obtaining electronic information corresponding to problem resolution techniques for the error identifier and equipment of a type of the network component.” Given that the Office Action has interpreted that a “network component” as an application, the Office Action would have to be interpreting this limitation to mean “obtaining electronic information corresponding to problem resolution techniques for the error identifier and equipment of a type of the application.” However, as applications aren’t a type of equipment, it shows that the Office Action’s interpretation of this limitation is incorrect.

In addition, the last limitation of claim 1 states “executing a computer component to perform the problem resolution techniques by utilizing the identifier for the network component.” Since the Office Action has not shown that the ‘832 publication teaches “the identifier for the network component,” it also has not shown that it teaches “utilizing the identifier for the network component.”

Thus, the Office Action has not shown that at least three of the limitations of claim 1 are taught by the applied reference. Therefore, the rejection of claim 1 and its dependent claims should be withdrawn.

The Office Action further alleges that the ‘832 publication teaches that “the network component comprises at least one of a router, a gateway and customer premises equipment.” As the Office Action alleged with respect to claim 1 that the network component is an application, the Office Action’s interpretation of claim 2 directly contradicts its interpretation of claim 1 showing that the alleged interpretation is incorrect. Moreover, claim 2 does not simply recite

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that the network includes "at least one of a router, a gateway and customer premises equipment."
Claim 2 recites that "the network component comprises at least one of a router, a gateway and customer premises equipment" – thus the error condition detected must be in "at least one of a router, a gateway and customer premises equipment." Thus, claim 2 is also patentable over the applied reference even if claim 1 is not.


As the Office Action has not provided separate analyses for independent claims 8 and 15 (and their respective dependent claims), it is respectfully submitted that those claims are patentable over the applied reference for at least the reasons set forth above for claims 1 and 2.

Consequently, in light of the above discussions, the outstanding grounds for rejection are believed to have been overcome and the pending claims are in condition for allowance. An early and favorable action to that effect is respectfully requested.

CHARGE STATEMENT: Deposit Account No. 501860, order no. 2655-0148.

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/ Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

<p>CUSTOMER NUMBER 42624</p>	<p>Respectfully submitted, By:  _____ Michael R. Casey, Ph.D. Registration No.: 40,294</p>
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